IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Stay Application No. 2182 of 2006

In

Criminal Writ Petition No. 1401 of 2005

1. Dr. Sudhir Aggarwal S/o Sri Jagdish Prasad Agarwal
2. Jagdish Prasad Agarwal S/o Sri Mani Ram Agarwal
3. Urmila Rani W/o Jagdish Prasad Agarwal
4. Narendra Kumar Agarwal S/o Jagdish Prasad Agarwal
   Anita Agarwal W/o Narendra Kumar Agarwal
   All R/o 152 Santosh Arya Nagar
   P.S. Jwalapur, District Haridwar ….Petitioners

Versus

1. State of Uttaranchal through
   Senior Superintendent of Police
   Haridwar.
2. Station House Officer
   P.S. Jwalapur
   District Haridwar
3. Smt. Kalika D/o Ramesh Kripal Goyal
   R/o 121 Sarvodya Colony Behind Tubewell Colony
   Meerut Road, Hapur
   District Ghaziabad U.P. ….Respondents

Sri Navneet Kaushik, learned counsel for the petitioners.
Sri D.C.S. Rawat, learned counsel for the respondent No. 3.

Hon'ble P.C. Verma, J.
Hon'ble B.C. Kandpal, J.

Heard Sri Naveet Kaushik, learned counsel for the petitioners, Sri D.C.S. Rawat, learned counsel for the respondent No. 3 and perused the record.

Perusal of the F.I.R. shows that the offence has been made out against the petitioners No. 1, 2 and 4, namely, Dr. Sudhir Aggarwal, Jagdish Prasad Agarwal and Narendra Kumar Agarwal.

So far as the petitioner Nos. 3 and 5 namely, Urmila Rani and Anita Agarwal are concerned, it is provided that they shall report to the concerned police station and render all necessary cooperation in the matter of investigation. The investigating agency shall not take any coercive steps against the petitioners Nos. 3 and 5 till the filing of the chargesheet in Case Crime No. 479 of 2005 under Sections 498-A I.P.C. and ¾ Dowry Prohibition Act registered at Police Station

Jwalapur District Haridwar. However, in case the custody of the petitioners No. 3 and 5 is required the respondents shall produce the material collected against the petitioners in this court and submit the report.

Accordingly, the writ petition on behalf of petitioners Nos. 1, 2 and 4 is dismissed. Interim stay order dated 17.12.2005 granted by this Court on behalf of petitioners No. 1, 2 and 4 stands vacated.

(B.C. Kandpal, J.) **(P.C. Verma, J.)**

06.03.2006
R.Dang